

**Enforcement Confidential**  
**35<sup>th</sup> Avenue Affidavit – [REDACTED]**

Ray Strickland and James Snow of EPA and [REDACTED], met with Mr. [REDACTED] on September 18, 2014 to discuss his knowledge and placement of fill material within the site.

With [REDACTED] permission, the interview conducted on September 18, 2014, at his home was recorded. This represents a summary of the information Mr. [REDACTED] shared with EPA.

Mr. [REDACTED] currently lives at [REDACTED] (subject property), located in the Harriman Park Community. He was born in the community in 1942 and moved to Detroit in 1964. He lived there for 43 years and returned to Harriman Park in 2007.

When he was a child, Mr. [REDACTED] and his family lived on White Road (Row) in Harriman Park. His grandmother lived at Sloss Quarters. He recalled that when he visited with her, that afterwards his clothes were covered in gray dirt. Mr. [REDACTED] also had an uncle who worked at Sloss. His uncle's name was [REDACTED]. Mr. [REDACTED] is deceased.

Mr. [REDACTED] worked for Fairmont Foundry for two years. Fairmont Foundry was located on 35<sup>th</sup> Avenue, near where Barry Pattern is currently located. His job duties included stoking the furnaces and charging the cupolas. He stated that sand used in the molds was poured out and mixed with new sand for reuse. When the sand was spent, the foundry poured it around its property. After his employment with Fairmont Foundry, Mr. [REDACTED] worked for Jones Brothers Construction before moving to Detroit.

Mr. [REDACTED] recalled that Sloss poured its sand out in the Harriman Park area. The company brought the sand out in trucks and dumped it in wooded areas in the Community. He did not recall what color the dump trucks were or if the trucks had any signage on them. This happened before housing was developed in the area. He described the sand as "real gray". He and others would pick through the dirt for iron which they then sold to the junkyards in the area.

Mr. [REDACTED] has no knowledge of plants making fill material available to the public. He also did not know of anyone who hauled fill dirt. He did know people who worked at Sloss but said that they were all deceased.

Mr. [REDACTED] stated that people picked up coal and coke from along the railroad tracks for use in their homes. There was a lot of soot / cinder and dust from the nearby cement plant in the air. In addition, the trains coming through the community blew up a lot of dust. All of the soot and dust made clean clothes hung outside to dry dirty.

Mr. [REDACTED] suggested that EPA may want to speak with [REDACTED]. He stated that Mr. [REDACTED] lived in the last house on the right on [REDACTED].

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I, [REDACTED], duly swear that the statements above reflect my best recollection at this time.

[REDACTED]  
Signature

3/10/15  
Date

Joseph Hany  
Witness Signature

3/10/15  
Date

**ENFORCEMENT CONFIDENTIAL**



# ENFORCEMENT CONFIDENTIAL

## Enforcement Confidential

### 35<sup>th</sup> Avenue Affidavit –

Carolyn McCall, Ray Strickland, and James Snow of EPA and [REDACTED], met with Ms. [REDACTED] on March 27, 2014 to discuss her knowledge and placement of fill material within the site.

With the permission of persons interviewed during the week of March 24, 2014, the interviews were recorded. This summary represents the interview with Ms. [REDACTED] conducted on March 27, 2014.

Ms. [REDACTED] has lived at [REDACTED] (the subject property) her entire life. She is 67 years old. The home is located in the Harriman Park Community. She owns the subject property. The house was built in approximately 1936. Her father owned two parcels of land; he built the house on one of the parcels.

The Jefferson County Property Appraiser has the property listed in the name of Ms. [REDACTED]'s father, [REDACTED]. The tax bill from the county is addressed to her and to her deceased sister and deceased brother. She has not put the property in her name (filed a new deed) yet because she is working on a tax issue with the IRS.

Ms. [REDACTED] recalled that trucks from the Walter Coke plant came through the neighborhood and offered fill dirt to her father. The driver asked if he could put it in Mr. [REDACTED] yard to level it off. Her father agreed and used the fill dirt to elevate the yard of the subject property. Within a few weeks, the drivers would return with more fill dirt to offer. Mr. [REDACTED] used multiple loads of fill dirt in his yard. He started from the backyard and worked his way to the front. He also used it to pack down the driveway. Ms. [REDACTED] was aware that fill dirt was dumped in her neighbors' yard (Mr. [REDACTED] property, located across the street). The time frame for the fill dirt being offered was from the early 1970s to the early 1980s. Ms. [REDACTED] is not aware of fill dirt being offered in other communities, although it seems likely, and she was not aware of any other plants giving away fill dirt. Ms. [REDACTED] referred to Walter Coke as the "Walter Coke Pipe Plant." When she was a child, a sign in front of the plant identified it as "US Pipe."

After her father died about 12 years ago, Ms. [REDACTED] filled the driveway with gravel. She has recently had to add more gravel to the driveway. She has grass in the front, side and back of her house and has plants in pots in the front. Her backyard is fenced with vegetation growing on the fence.

She described the fill dirt as white and sandy. She said it blows everywhere, but now it is just a huge mountain (referencing the large piles on the Walter Coke property). At Christmas time, Walter Coke paints the mountain green.

In the past, the bottom part of the lot flooded frequently. Water would come to the top of the steps (the house has 2 steps to the front door) and flood the entire yard. When it flooded, she would report it.

She believes a drain was added in the area because it no longer floods as severely.

Flooding affects the entire Harriman Park Community. She mentioned 44<sup>th</sup> Street, which runs behind her house, as one of the areas affected. She had observed that the water was black, oily-looking.

Ms. [REDACTED] noted that there are particles in the air even now. She recalled playing in the "snow". Since they hung out clothes to dry, any time the "snow" got on the clothes, they had to re-wash them; otherwise, the "snow"





would cause their skin to itch. The "snow" would turn black cars white. Her brother washed cars and had a paint gun which he used to touch up paint spots where the enamel had been eaten off the car.

Even though the windows were screened, the "snowflakes" would still get in the house so they would shut the windows. She remembered this happening more in the daytime. She does not think the "snowflakes" are as bad as they had been in the past.

The black flakes, or coal dust, she believed were a more recent event, not happening until the early 1970s. Walter Coke is the source of the black coal dust. It took a lot of hard work to wash off the black flakes.

Railroad cars pass through the area about 1 ½ blocks from the subject property. Coal and coke fell from the uncovered train cars along the railroad tracks. Her brother gathered up buckets of coal and coke. She was not sure what happened to the ashes from the coal burning stoves. She also was not sure from which facility the railroad cars were coming. She did recall the railroad cars derailling once. There is slag and coal in her yard and in Mr. [REDACTED] yard.

Trucks also come through the area without covers. She has seen "snowflakes" coming off of the backs of trucks. The "snowflakes" were what took the paint off of cars. The trucks would leave the pipe plant and come through the neighborhood streets. That no longer happens since people are aware of it.

Ms. [REDACTED] thought the city probably swept the streets. Before the city started doing that, the streets were dirty black. In the summer, the streets were very dusty. The city would come around with water to suppress the dust.

The subject property is on EPA's list to remediate. Ms. [REDACTED] has declined the agency's offer because she does not like the way Mr. [REDACTED] yard looks. Also, she does not understand the purpose behind cleaning up the yards since contamination from the plant continues. She feels that Walter Coke is the source of her community's pollution problems.

I, [REDACTED] duly swear that the statements above reflect my best recollection at this time.

Signature

*Carolyn McCall*

Witness Signature

Date

3-11-15

Date

3-11-15

3:38pm

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**35<sup>th</sup> Avenue Affidavit** - [REDACTED]

Carolyn McCall and James Snow of EPA and [REDACTED], met with Ms. [REDACTED] on December 1, 2014 to discuss her knowledge and placement of fill material within the site.

EPA met with [REDACTED] on December 1, 2014, to request clarification on information she provided in her March 24, 2014 interview. With her permission, this interview conducted at EPA's office was recorded. This represents a summary of the information Ms. [REDACTED] shared with EPA.

EPA requested clarification regarding her statements in the previous interview in which she stated that trucks from Walter Coke came through the neighborhood and offered dirt to her father. Ms. [REDACTED] stated that the dirt that was placed on the Subject Property "smoked" (and still does); that is how she knew the dirt came from the pipe plant. Ms. [REDACTED] described the trucks that came through the neighborhood as "big black dump trucks" that were not marked with a company name or logo. Regarding the drivers, she did not know them nor did they identify themselves as employees of any facility. She also did not recall whether or not they wore company uniforms. Ms. [REDACTED] described the dirt as sandy and gray in color. She stated that the gray colored dirt could still be found by digging deep in the yard.

The dirt was offered free of charge. The Subject Property was low lying. The drivers brought multiple loads over a period of time to the Subject Property and to their neighbors' yards.

According to Ms. [REDACTED], playing in the yard after the fill dirt had been placed on the property caused her skin to itch badly as did wearing clothes that had been hung outside to dry. She also described rock wool which was the source of the itching. She stated that the dirt came from the pipe plant and then named the US Pipe facility on 35<sup>th</sup> Avenue. She still sees trucks leaving the facility located on 35<sup>th</sup> Avenue property with soil. The trucks are generally headed towards 29<sup>th</sup> Avenue.

Ms. [REDACTED] mentioned EPA cleaning up yards in the area. She thought this interview was to find out why she has not agreed to have her yard cleaned up.

I, [REDACTED], duly swear that the statements above reflect my best recollection at this time.

[REDACTED]  
Signature

*Carolyn McCall*  
Witness Signature

3-11-15  
Date

3-11-15 2:45pm  
Date

**ENFORCEMENT CONFIDENTIAL**



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